

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

COURTNEY GREEN,

Plaintiff,

v.

LG ELECTRONICS USA, et al.,

Defendants.

Civil Action No. 22-06057 (SDW) (JSA)
No. 22-06221 (SDW)(JSA)

OPINION

October 31, 2022

THIS MATTER having come before this Court upon the filing of two Complaints and Applications to Proceed in District Court Without Prepaying Fees or Costs by *pro se* Plaintiff Courtney Green (“Plaintiff”), (No. No. 22-06057, D.E. 1 (“Compl. 1”); 22-06221, D.E. 1 (“Compl. 2”)), and the Court having reviewed the Complaints for sufficiency pursuant to Fed. R. Civ. P. 8(a)(2) and (3) and *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S. Ct. 1937, 173 L.Ed.2d 868 (2009); and

WHEREAS applications to proceed *in forma pauperis* are available to plaintiffs or petitioners in order to be excused from paying certain fees for district court proceedings, including those required to commence a civil action; and

WHEREAS Plaintiffs’ application to proceed without prepayment of fees and costs on matter number 22-06057, (Compl. 1, D.E. 1-1), indicates that Plaintiff: 1) has made \$7,000.00 per month in income for the past year; 2) has \$1803.00 per month in expenses; and 3) has \$300.00 in an account, (Compl. 1, D.E. 1-1 at 1–5); and

WHEREAS Plaintiffs’ application to proceed without prepayment of fees and costs on matter number 22-06221, (Compl. 2, D.E. 1-2), indicates that Plaintiff: 1) has made \$6,000.00 per

month in income for the past year; 2) has \$1988.00 per month in expenses; and has \$354.00 in a bank account, (Compl. 2, D.E. 1-2 at 1–5); and

WHEREAS both of Plaintiff’s Complaints appear to allege that Defendants have committed an act of racketeering by enabling a personally-owned television, as well as various other televisions at places Plaintiff has visited, to function as a conduit for hosts of various television shows to communicate directly with and monitor the movements of Plaintiff, (Compl. 1, D.E. 1 at 1–5; Compl. 2, D.E. 1 at 1–5, D.E. 1-5 at 1–11); and

WHEREAS *pro se* complaints, although “[held] to less stringent standards than formal pleadings drafted by lawyers,” *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972), must still “state a plausible claim for relief.” *Yoder v. Wells Fargo Bank, N.A.*, 566 F. App’x. 138, 141 (3d Cir. 2014) (quoting *Walker v. Schult*, 717 F.3d 119, 124 (2d Cir. 2013)); *Martin v. U.S. Dep’t of Homeland Sec.*, No. 17-3129, 2017 WL 3783702, at *3 (D.N.J. Aug. 30, 2017); and

WHEREAS the facts alleged in Plaintiff’s Complaints amount to general grievances and are insufficient to support a claim entitling Plaintiff to relief. *See* FED. R. CIV. P. 8(a)(2) (providing that an adequate complaint must contain “a short and plain statement of the claim showing that the pleader is entitled to relief”); *see also Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (stating that although Rule 8 does not require detailed factual allegations, “it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation”); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (explaining that to survive a Rule 12(b)(6) motion, a plaintiff’s “[f]actual allegations must be enough to raise a right to relief above the speculative level”); therefore

Plaintiff's applications to proceed *in forma pauperis* are **DENIED**. Further, Plaintiff's Complaint in matter number 22-06057 is *sua sponte* **DISMISSED WITHOUT PREJUDICE**¹ for failure to state a claim upon which relief can be granted pursuant to Federal Rule of Civil Procedure 12(b)(6). Plaintiff shall have thirty (30) days to file an amended Complaint for matter number 22-06057, the original matter pertaining to this action, and remit the appropriate filing fee. Failure to timely file an amended complaint in matter number 22-06057, along with the filing fee, will result in the dismissal of this matter with prejudice. An appropriate order follows.

/s/ Susan D. Wigenton
United States District Judge

Orig: Clerk
cc: Parties
Jessica S. Allen, U.S.M.J.

¹ Matter number 22-06221 is hereby **DISMISSED WITH PREJUDICE** as a duplicate action.